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Writer's Direct Access
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August 12, 2019

Via ECFS

Marlene J. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street SW
Washington, DC 20554

**Re: Commonwealth Edison Company's Objections to Complainant Crown
Castle Fiber LLC's Second Set of Interrogatories (Proceeding Number
19-170; Bureau ID Number EB-19-MD-005)**

Ms. Dortch:

Please find attached Commonwealth Edison Company's Objections to Complainant Crown Castle Fiber LLC's Second Set of Interrogatories in Proceeding Number 19-170; Bureau ID Number EB-19-MD-005.

Sincerely,



Timothy A. Doughty
Attorney for Commonwealth Edison Company

Enclosures

cc: Rosemary McEnery, Enforcement Bureau
Adam Suppes, Enforcement Bureau

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|-------------------------------------|---|--------------------------------------|
| |) | |
| |) | |
| Crown Castle Fiber LLC |) | |
| <i>Complainant,</i> |) | |
| |) | |
| v. |) | Proceeding Number 19-170 |
| |) | Bureau ID Number EB-19-MD-005 |
| |) | |
| Commonwealth Edison Company, |) | |
| <i>Defendant</i> |) | |
| |) | |

Defendant Commonwealth Edison Company (“ComEd”), pursuant to Section 1.730 of the Commission’s Rules, 47 C.F.R. §1.730, submits the following objections to the Second Set of Interrogatories of Complainant Crown Castle Fiber LLC (“Crown Castle”) to ComEd related to its Rate Complaint captioned above (the “Complaint”).

ComEd objects generally to the Interrogatories as set forth below (the “General Objections”). ComEd will also assert specific objections to each Interrogatory as appropriate. To the extent that ComEd responds to Interrogatories to which it objects, such objections are not waived and are expressly reserved.

ComEd objects to these Interrogatories to the extent that they seek discovery of any matter that is not relevant to the material facts in dispute in the pending proceeding. *See* 47 C.F.R. § 1.730.

ComEd objects to the Interrogatories to the extent they seek information that is available from a source other than ComEd, including information that is publicly available or already in Crown Castle's possession, and therefore would impose no greater burden for Crown Castle to obtain than for ComEd to provide.

ComEd objects to these interrogatories to the extent that they seek information protected by the attorney-client privilege, attorney work-product, or any other applicable privilege.

ComEd objects to the definitions of "ComEd," "You," "Your," and "Yourself," as being overly broad and unduly burdensome (Definition Number 1).

ComEd objects to the definition of "communication" as being overly broad and unduly burdensome (Definition Number 7).

ComEd objects to the definitions of "describe," "discuss," and "analyze" as being overly broad and unduly burdensome (Definition Number 8).

ComEd objects to the definition of "information" as being overly broad and unduly burdensome (Definition Number 10).

ComEd objects to the definitions of "identify," "identity," "identification," "state," "describe," and "explain" as being overly broad and unduly burdensome (Definition Number 11).

ComEd objects to the definitions of "identify," "describe," "state the factual basis for," and "state the legal basis for" as being overly broad and unduly burdensome (Definition Number 12).

ComEd objects to the definition of "document" as being overly broad and unduly burdensome (Definition Number 13).

ComEd objects to the definitions of “relating to,” “relate(s),” “related to,” and “concerning” as being overly broad and unduly burdensome (Definition Number 14).

ComEd objects to Instruction Number 1 and Number 2 as being overly broad and unduly burdensome. In addition, ComEd objects to Crown Castle’s request for the production of an index identifying any documents withheld under a claim of privilege as being overly broad and unduly burdensome.

INTERROGATORIES

INTERROGATORY NO. 1:

For yearend reporting to FERC for years 2017 and 2018, did ComEd credit Accounts 411.1 and debit Accumulated Deferred income Taxes with amounts equal to any allocations of deferred taxes originating in prior periods or any current deferrals of taxes on income, as provided by the texts of accounts 190, 281, 282, and 283 in accordance with 18 C.F.R. § Pt. 101, special instructions, accounts 410.1, 410.2, 411.1, and 411.2.

OBJECTION: In addition to the general objections listed above, ComEd objects to Interrogatory Number 1 on the basis that it is irrelevant to the FCC's pole attachment calculations.

INTERROGATORY NO. 2:

Identify to which FERC account does ComEd book the value of replaced poles for which it has received compensation from attaching entities, including Crown Castle.

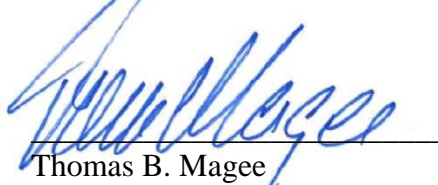
OBJECTION: In addition to the general objections listed above, ComEd objects to Interrogatory Number 2 on the basis that it is irrelevant to the FCC's pole attachment calculations.

INTERROGATORY NO. 3:

If ComEd books the value of replaced poles for which it has received compensation from attaching entities to FERC account 364, identify what percentage of Account 364 reflects such compensation from attaching entities for value of replaced poles for years 2012 through the present.

OBJECTION: In addition to the general objections listed above, ComEd objects to Interrogatory Number 3 on the basis that it is irrelevant to the FCC's pole attachment calculations, and on the basis that it requests information for periods of time that are not subject to FCC refunds.

Respectfully submitted,



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August 12, 2019

CERTIFICATE OF SERVICE

I, Timothy A. Doughty, hereby certify that on this 12th day of August 2019, a true and authorized copy of Commonwealth Edison Company's Objections to Complainant Crown Castle Fiber LLC's Second Set of Interrogatories was served on the parties listed below via electronic mail and was filed with the Commission via ECFS.

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/s/
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